

Customer No.: 31561
Docket No.: 10990-US-PA
Application No.: 10/604,820

REMARKS

Present Status of the Application

The Office Action dated December 15, 2005 rejected claims 1-9 under 35 U.S.C. 103(a) as being unpatentable over Futamase et al (USPGP- 2004/0007120, "Futamase" hereinafter) in view of Swanson (USPGP- 2002/0013784, "Swanson" hereinafter).

Applicants have amended claim 8 to incorporate all of the limitations and features in dependent claim 10, which was previously identified as allowable if rewritten in independent form by the Examiner on page 3 of the Office Action.

Discussion of the claim rejections under 35 USC 103(a)

The Office Action rejected claims 1-9 under 35 U.S.C. 103(a) as being unpatentable over Futamase et al (USPGP- 2004/0007120, "Futamase" hereinafter) in view of Swanson (USPGP- 2002/0013784, "Swanson" hereinafter).

In response to the rejections of claims 1-9 under 35 U.S.C. 103(a), Applicants have amended independent claim 8 to incorporate all of the limitations and features in dependent claim 10, which was previously identified as allowable if rewritten in independent form by the Examiner on page 3 of the Office Action, and cancelled claims 1-7, and 9-10 to render the aforementioned rejections moot.

As a result, the amended independent claim 8 should be allowed and entered based upon the fact that the proposed amendments "must include cancellation of each

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rejected claim. If any claim stands allowed, the reply to a final rejection or action must comply with any requirements or objections as to form" as is described in MPEP 706.07.

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CONCLUSION

For at least the foregoing reasons, it is believed that the pending claim 8 of the present application patently define over the prior art and are in proper condition for allowance. If the Examiner believes that a telephone conference would expedite the examination of the above-identified patent application, the Examiner is invited to call the undersigned.

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Respectfully submitted

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